

REMARKS

The specification has been amended to correct typographical errors, by replacing “the stacking factor can be lowered and heat releasing properties can be improved” at page 3, paragraph [0006], with --heat releasing properties can be improved without lowering the stacking factor-- and replacing “from 10^3 to $10^8 \Omega \text{ cm}$ ” at page 7, paragraph [0024], with --from 1 to $10^8 \Omega \text{ cm}$ --. These amendments are supported by the specification, for example, paragraphs [0005] and [0008], respectively. In particular, the specification describes in paragraph [0005] that the present invention aims to provide a magnetic substrate having low exothermic property (i.e., having improved heat releasing properties) by preventing deterioration of the stacking factor (i.e., without lowering the stacking factor) of the magnetic metal while performing any necessary insulation between magnetic metal thin plates.

Claims 1 and 3-6 have been amended to further improve their form and/or clarity, which do not narrow the scope of the claims.

Entry of the foregoing is respectfully requested. Upon entry of the Amendment, claims 1-12 will be all the claims pending in the application.

I. Response to Restriction Requirement

In response to the Requirement for Restriction, Applicants hereby elect, with traverse, Group I, claims 1-5 and 9-12.

The present application is a National Stage application of PCT/JP2004/014084, filed September 27, 2004, and thus the Unity of Invention requirement under the PCT rules applies.

In the present application, no lack of unity objection was raised during the International proceedings of the corresponding PCT application. That is, said application has

been recognized as unitary. Thus, Applicants submit that no restriction requirement should be raised during the national stage since the claims are the same as in the PCT application.

Moreover, under PCT Rule 13.2 "Circumstances in Which the Requirement of Unity of Invention is to Be Considered Fulfilled":

Where a group of invention is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

According to the PCT International Search and Preliminary Examination Guidelines, part III, page 7, it reads:

Combinations of Different Categories of Claims, A1 Annex B, Part 1(e)

10.12 The method for determining unity of invention under Rule 13 is construed as permitting, in particular, the inclusion of any one of the following combinations of claims of different categories in the same international application:

(i) in addition to an independent claims for a given product, an independent claim for a process specially adapted for the manufacture of the said product, and an independent claim for a use of the said product, or....

In the present application, claims 1-5 and 9-12 are directed to a laminate, and claims 6-8 are directed to a method of manufacturing the laminate. Therefore, claims 1-12 meet the unity of invention requirement set forth above.

Furthermore, M.P.E.P. § 803 states that an application may be properly restricted to one or more claimed inventions only if (1) the inventions are independent or distinctly claimed, and (2) there is a serious burden on the Examiner if restriction is not required. Thus, even if appropriate reasons exist for requiring restriction, such a requirement should not be made unless there is an undue burden on the Examiner to examine all of the claims in a single application.

It appears that the examination involved for two (2) groups of inventions would have substantial overlap. As such, search and examination for the inventions of Groups I and II would seem to overlap. Because of the apparent overlap in search, it appears that a serious burden would not be imposed on the Examiner to examine the inventions of Groups I and II in a single application.

For at least the above reasons, withdrawal of the restriction requirement and examination of all the pending claims in the application are respectfully requested.

Alternatively, Applicants respectfully request that Group II, claims 6-8, be rejoined after Group I, claims 1-5 and 9-12, are found allowable, pursuant to M.P.E.P. § 821.04.

Applicants also reserve the rights to file divisional applications directed to the non-elected inventions.

II. Conclusion

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (202) 452-7932 at his earliest convenience.

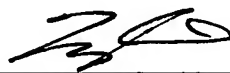
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:



Fang Liu, Ph.D.

Registration No. 51283